

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

FINDINGS FOR APPROVAL

UP 19-002 (Pangaea Grill)
Matthew Porges, Owner/ Operator
Location: N/S Ocean between Lincoln & Dolores
Block: 72, Lots: 5, W ½ 1
APN: 010-139-005

PROJECT DESCRIPTION:

Consideration of a Use Permit Amendment (UP 19-002) to allow for changes to the hours of operation for an existing full-line restaurant (Pangaea) located on the north side of Ocean Avenue between Lincoln and Dolores in the Central Commercial (CC) Zoning District.

FINDINGS OF FACT:

1. The project site is located in a 3,300 square foot commercial space on the North Side of Ocean Avenue between Lincoln & Dolores in the Central Commercial (CC) Zoning District).
2. Use Permit B.A. 77-22, was issued in 1977 for a full-line restaurant with 68 interior seats and allowed hours of operation between 11:00 AM and 1:00 AM, seven days a week. B.A. 77-22 was amended by B.A. 85-75 to allow for modifications to the building but maintained the seating and hours of operation under B.A. 77-22.
3. "Pangaea," a full-line restaurant, currently operates under B.A. 85-75.
4. CMC 17.14.050.H places additional restrictions on uses that are located in the RC land use district or uses located on any property within 300 feet of an R-1 Zoning District. The project is located in the Central Commercial (CC) Zoning District and is not within 300 feet of an R-1 Zoning District; therefore, it is not subject to additional land use restrictions
5. On January 2, 2018, the applicant submitted a use permit amendment to change the hours of operation.
6. The applicant is requesting approval to operate the existing full line restaurant with 68 interior seats from 7:00 a.m. to 10:00 p.m., seven days a week.
7. The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1), Existing Facilities. The project consists of the continued use of an existing commercial space as a full-line restaurant. The modified hours of operation

would result in a negligible expansion of the existing use by allowing one additional hour of operation. The restaurant use does not present any unusual circumstances that would result in a potentially significant environmental impact.

FINDINGS FOR DECISION:

General Findings Required for All Use Permits (CMC 17.64.010):

1. The proposed use is not in conflict with the City's General Plan.
2. The proposed use will comply with all zoning standards applicable to the use and zoning district.
3. The granting of the Use Permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.
4. The proposed project will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, street capacity and fire protection.
5. The proposed project will not be injurious to public health, safety or welfare.
6. The proposed project will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.
7. The proposed project will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.

General Findings Required for Commercial Use Permits (CMC 17.64.020):

8. The proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.
9. The proposed use will provide adequate ingress and egress to and from the proposed location.
10. The capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.